
Response re: Are health practitioners covered for indemnity insurance re the Covid jobs?

Elizabeth Hart <elizmhart@gmail.com>

Mon, Nov 21, 2022 at 2:58 PM

To: minister.butler@health.gov.au

Cc: "Rennick Gerard (Senator)" <senator.rennick@aph.gov.au>, "Antic, Alex (Senator)" <senator.antic@aph.gov.au>, Malcolm Roberts <senator.roberts@aph.gov.au>, Emma McArthur <ejminoz@gmail.com>, Medical Indemnity <Medical.Indemnity@health.gov.au>

For the attention of:

Mark Butler

Minister for Health and Aged Care

Australian Government Department of Health and Aged Care

Mark Butler, it appears that health practitioners have been misled by the former Morrison Government into believing they are covered by a specific government medical indemnity scheme for administering Covid-19 jabs, as it has now been confirmed by your department that health practitioners are not covered by a specific Covid-19 government medical indemnity scheme.

In his response to [my previous emails to you](#) (see below), Nigel Murray, Assistant Secretary, MBS Policy and Specialist Services Branch says: ([Letter dated 17 November 2022, my highlighting.](#))

I can advise that rather than putting in place a medical indemnity scheme for health professionals, the former Government established the no-fault Scheme, which commenced operations on 13 December 2021.

and

While a medical indemnity scheme for health professionals administering the COVID-19 vaccine was not established per se, the creation of the no-fault Scheme was intended to support increased participation by health professionals in the COVID-19 Vaccination roll-out.

But the promise of "a medical indemnity scheme for health professionals administering the COVID-19 vaccine" probably did intend "to support increased participation by health professionals in the COVID-19 Vaccination roll-out".

In [July 2021](#), the Morrison Government stated it was establishing a "fit-for-purpose COVID-19 vaccine medical indemnity scheme" to "support increased vaccination uptake by assuring Australians that health professionals, including GPs, nurses and pharmacists administering COVID vaccines as part of the Commonwealth vaccination program have appropriate indemnity coverage", with a further announcement in [August 2021](#) stating "The Morrison Government has finalised the details of the no fault COVID-19 Vaccine Claim Scheme following extensive consultation with the peak medical, healthcare, business and insurance sectors to ensure a comprehensive National Scheme", noting "It also ensure *[sic]* that health professionals administering vaccines will be able to continue with their crucial role in the vaccine roll out with assurance that the claims scheme will offer them protection". (See media releases attached.)

But it now turns out health professionals are not personally protected by a specific Covid-19 medical indemnity scheme.

The letter from Nigel Murray also confirms: "Informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations."

Mark Butler, it appears health practitioners don't have specific government medical indemnity re the Covid jab rollout, although they might think they do. They will have to look to their own medical indemnity insurance to protect them. And they should be obtaining informed consent for every Covid-19 jab...but is this actually happening?

What is the quality of information being provided to people, including parents of children, to enable them to properly evaluate the threat of SARS-CoV-2/Covid-19, and the risks and benefits of the multiple Covid jabs, in their own specific circumstances? Why are people of most ages and health status being called upon to have the Covid-19 jabs? Who is actually at serious risk with SARS-CoV-2/Covid-19? Does having repeated Covid jabs compromise the immune system and make people more vulnerable?

Nigel Murray includes reference to the [COVID-19 vaccination - Patient resources](#) webpage in his letter (see attached), but this webpage only includes information re Covid jabs for children, not for adults. Nigel Murray's letter

also includes a link to a [Consent form for COVID-19 vaccination](#) (see attached).

How does this information re Covid jabs referred to by Nigel Murray stack up in the 'valid informed consent' stakes? I would say not very well at all...

This is an extremely serious situation Mark Butler - it's highly likely 'valid informed consent' has not been properly obtained by many health practitioners before administering Covid-19 jabs.

The health practitioners inserting the needle must be warned they're not protected by a specific government Covid medical indemnity scheme after all...and they need to consider the quality of the information they're providing to people to gain their 'valid informed consent' to the jabs. They must also consider the impact of jab mandates - which pressure, coerce and manipulate people to submit to Covid jabs, in contravention of [The Australian Immunisation Handbook](#), i.e. jab mandates inhibit a 'voluntary' decision.

Mark Butler, please advise what steps you are taking to address this matter.

This email is being circulated to other parties, including the response from your department.

Sincerely

Elizabeth Hart

Independent researcher investigating vaccine products and conflicts of interest in vaccination policy
vaccinationispolitical.net

On Wed, Nov 9, 2022 at 11:26 AM Elizabeth Hart <elizmhart@gmail.com> wrote:

For the attention of:

Mark Butler

Minister for Health and Aged Care

Australian Government Department of Health and Aged Care

Mark Butler, **are health practitioners covered by indemnity insurance if they fail to obtain valid informed consent before administering Covid jabs?**

I have raised this matter previously with you in my emails dated **4 October 2022** and **7 October 2022**, copies attached.

Emma McArthur has also previously sought clarification on this matter in her email dated **11 November 2021** to Greg Hunt, then Minister for Health and Aged Care, in which she asked:

**Please could you advise to what extent the Commonwealth Covid-19 vaccine claims scheme provides insurance and indemnity for the civil and criminal liability that would arise where battery and clinical negligence occur due to a failure to obtain valid informed consent?
Please could you also provide the terms and conditions for this scheme.**

Emma McArthur received **a response to her queries** from Louise Morgan, Acting Assistant Secretary, COVID-19 Vaccine Claims Scheme Taskforce, Medical Benefits Division, dated 21 December 2021.

The response from Louise Morgan notes the COVID-19 Vaccine Claims Scheme opened to potential claimants on 13 December 2021, and **"has been established as a fit-for-purpose, time-limited claims scheme to respond to the unprecedented circumstances of the COVID-19 pandemic"**.

Louise Morgan also notes:

The Scheme does not provide an indemnity for practitioners or insurers, it does however provide patients who have suffered one of the eligible clinical conditions or an administration injury as a direct result of a COVID-19 vaccine, with faster access to compensation rather than a costly and complex court process.

I can advise that informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations.

(My emphasis.)

Mark Butler, according to Louise Morgan, **it appears there is no indemnity for practitioners or insurers...and that informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations**. In her response, Louise Morgan also referred to the Australian Immunisation Handbook, **"which has information about 'valid consent', including criteria for consent to be legally valid..."**

This is a very interesting response from Louise Morgan, because in July 2021, Greg Hunt announced that the Morrison Government was establishing a **"fit-for-purpose COVID-19 vaccine medical indemnity scheme"** to **"support increased vaccination uptake by assuring Australians that health professionals, including GPs,**

nurses and pharmacists administering COVID vaccines as part of the Commonwealth vaccination program have appropriate indemnity coverage". (Media release: [COVID-19 indemnity scheme to protect health professionals and patients](#), see copy attached.)

The media release notes "The scheme will support claims made against privately practising health professionals who administer a COVID-19 vaccine approved for use by the Therapeutic Goods Administration (TGA)".

A further media release published on 28 August 2021 states: "The Morrison Government has finalised the details of the no fault COVID-19 Vaccine Claim Scheme following extensive consultation with the peak medical, healthcare, business and insurance sectors to ensure a comprehensive National Scheme".

The media release notes "It also ensure [sic] that health professionals administering vaccines will be able to continue with their crucial role in the vaccine roll out with assurance that the claims scheme will offer them protection." (See: [No Fault COVID-19 Indemnity Scheme](#), copy attached.)

To summarise, in July 2021, **Greg Hunt announced health professionals, including GPs, nurses and pharmacists administering COVID vaccines as part of the Commonwealth vaccination program would have appropriate indemnity coverage**, and the media release published in August 2021 appears to confirm this.

But the letter to Emma McArthur from Louise Morgan dated 21 December 2021 clearly states there is **no indemnity for practitioners or insurers...and that informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations.**

So far, I haven't found a media release refuting the announcements of indemnity protection for health practitioners.

Again Mark Butler, I ask you to clarify this matter - **are health practitioners such as GPs, nurses and pharmacists covered by indemnity insurance if they fail to obtain informed consent before the Covid jabs?**

I request your early response.

Sincerely


Elizabeth Hart

Independent researcher investigating vaccine products and conflicts of interest in vaccination policy
vaccinationispolitical.net

5 attachments

 **MC22-018819 SIGNED Highlighted.pdf**
178K

 **COVID-19 indemnity scheme to protect health professionals and patients _ Health and Aged Care Portfolio Ministers.pdf**
56K

 **No Fault COVID-19 Indemnity Scheme _ Health and Aged Care Portfolio Ministers.pdf**
57K

 **COVID--1.PDF**
114K

 **COVID-19 vaccination – Consent form for COVID-19 vaccination.pdf**
250K